Housing Homeless People on a Religious Organization’s Property

This Act defines a religious organization and authorizes such organizations to host temporary encampments for homeless people on property owned or controlled by such organizations. It restricts counties, cities, and or towns from enacting ordinances or regulations that unreasonably interfere with the actions of a religious organization to shelter or house homeless people on property the organization owns or controls.

Submitted as:
Washington
Chapter 175, Laws of 2010
Status: Enacted into law in 2010.

Suggested State Legislation

(Title, enacting clause, etc.)

Section 1. [Short Title.] This Act shall be cited as “An Act Relating to Housing Homeless People on a Religious Organization’s Property.”

Section 2. [Conditions to Permit Religious Organizations to Host Temporary Encampments for Homeless People.]

(A) For the purposes of this Act, “religious organization” means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

(B) A religious organization may host temporary encampments for the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.

(C) A county as defined under [insert citation], a city as defined under [insert citation], a town as defined under [insert citation], or a code city as defined under [insert citation], may not enact an ordinance or regulation or take any other action that:

(1) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless people on property owned by the religious organization;

(2) Requires a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless people housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability; or

(3) Imposes permit fees in excess of the actual costs associated with the review and approval of the required permit applications under [insert citation].

(D) An appointed or elected public official, public employee, or public agency as defined in [insert citation] is immune from civil liability for damages arising from the permitting decisions for a temporary encampment for the homeless as provided in this section and any conduct or unlawful activity that may occur as a result of the temporary encampment for the homeless as provided in this section.
(E) Nothing in this Act is intended to change applicable law or be interpreted to prohibit a county, city, town, or code city from applying zoning and land use regulations allowable under established law to real property owned by a religious organization, regardless of whether the property owned by the religious organization is used to provide shelter or housing to homeless people.

Section 3. [Severability.] [Insert severability clause.]

Section 4. [Repealer.] [Insert repealer clause.]

Section 5. [Effective Date.] [Insert effective date.]